

## Message Text

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70

ACTION EUR-12

INFO OCT-01 IO-04 ISO-00 PM-03 NSC-05 SP-02 SS-15 RSC-01

L-01 PRS-01 SAM-01 CIAE-00 INR-05 NSAE-00 DODE-00

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R 251606Z OCT 74

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 5120

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY NICOSIA

AMEMBASSY PARIS

USMISSION USUN NEW YORK

C O N F I D E N T I A L LONDON 13980

E.O. LL652: XGDS-1

TAGS: PINT, PFOR, CY, TU, UK, US

SUBJECT: TURKISH AIDE MEMOIRE AND AUTONOMOUS CYPRIOT  
ADMINISTRATION

REF: LONDON 13515

1. CONTRARY TO FCO EXPECTATION (REFTEL) FRENCH HAVE  
GONE AHEAD WITH PROPOSED DISCLAIMER TO TURK CYPRIOTS.  
TEXT WHICH NICOSIA HAS BEEN INSTRUCTED TO DELIVER IS AS  
FOLLOWS:

"L'AMBASSADE DE FRANCE A CHYPRE PRESENTE SES COMPLIMENTS  
AU VICE-PRESIDENT DE LA REPUBLIQUE DE CHYPRE ET A  
L'HONNEUR DE LUI FAIRE SAVOIR QUE LE FAIT POUR CETTE  
AMBASSADE DE RECEVOIR DES COMMUNICATIONS DE 'L'ADMINIS-  
TRATION AUTONOME CHYPRIOTE-TURQUE' ET DE TRAITER AVEC LES  
REPRESENTANTS DE LA COMMUNAUTE CHYPRIOTE TURQUE DE QUES-  
TIONS DE NATURE CONSULAIRE OU ADMINISTRATIVE DECOULE  
SEULEMENT DES CIRCONSTANCES QUI PREVALENT AUJOURD'HUI  
DANS LA REPUBLIQUE DE CHYPRE ET NE PREJUGE NULLEMENT LA  
POSITION DU GOUVERNEMENT DE LA REPUBLIQUE FRANCAISE QUANT  
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AU STATUT JURIDIQUE DE LA REPUBLIQUE DE CHYPRE ET QUANT

AUX TITRES DE L'AUTORITE DE FAIT EXERCEE SUR UNE PORTION DE SON TERRITOIRE."

2. BRITISH NEVER GOT LEGAL ADVISER'S OPINION TO FRENCH AS ORIGINALLY PLANNED (THE ADVISER WAS VISITING IN NEW YORK). HIS EVENTUAL ADVICE WAS THAT THERE IS NOTHING IN GENEVA DECLARATION, SIGNED BY FONSEC CALLAGHAN, WHICH WOULD CONFLICT WITH US LANGUAGE FOR DISCLAIMER. (COMMENT: THIS IS ONE POINT IN OUR FAVOR.)

3. HOWEVER, FCO DEPARTMENT HEAD GOODISON SAYS PARLIAMENTARY PRESSURE IS MOUNTING FOR HMG TO DO SOMETHING ABOUT ABANDONED BRITISH HOMES AND OTHER PROPERTY IN TURKISH ZONE. NICOSIA CHARGE DEREK DAY APPARENTLY AGREES WITH GOODISON THAT LANGUAGE PROPOSED BY DEPARTMENT IS TOO HARD. WHEN WE SAW HIM AFTERNOON OCTOBER 24, GOODISON HAD JUST SIGNED RECOMMENDATION TO HIS SUPERIORS THAT LANGUAGE BE DISCUSSED ONCE AGAIN WITH DEPARTMENT.

4. IN RESPONSE TO OUR ARGUMENTS, GOODISON GAVE US HIS (AND DAY'S) PHILOSOPHY ON THIS QUESTION. THEY DO NOT FEEL IT IS A MATTER TO BANG THE TABLE ABOUT, AT LEAST NOT WITH CYPRIOTS. (THEY WOULD BE MORE DISPOSED TO BANG THE TABLE ALONG WITH US IN ANKARA, HE ADDED.) UK SHOULD PRESERVE ITS DE JURE POSITION BUT KEEP AS MUCH FREEDOM OF ACTION AS POSSIBLE. AFTER ALL, TURKISH CYPRIOT ADMINISTRATION IS IN A SENSE ITSELF UNDER TURKISH MILITARY OCCUPATION... TURKISH MILITARY ARE "BLOODY MINDED," AND UNDER LESS NEED TO CARRY ON BUSINESS WITH BRITISH THAN BRITISH ARE TO CARRY ON BUSINESS WITH TURKS. DEPARTMENT IS LIKELY TO BE HEARING MORE ALONG THAT LINE FROM BRITISH EMBASSY BY NEXT WEEK.

5. AS GOODISON AND WESTON MADE CLEAR IN MEETING WITH VISITING NICOSIA OFFICER AUSTRIAN OCTOBER 25, BRITISH WANT TO FILE DISCLAIMER BECAUSE THEY HAVE BEEN FILING BRITISH PROPERTY DOCUMENTS WITH TURKISH CLAIMS OFFICE FOR SEVERAL MONTHS. THEY FEEL DISCLAIMER NECESSARY TO PRESERVE LEGAL POSITION EVEN THOUGH THEY REALIZE (AS AUSTRIAN ALSO TOLD THEM) THAT DISCLAIMER IS LIKELY TO BE CONFIDENTIAL

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IRRELEVANT TO PROBLEM OF CONSULAR ACCESS. ACCESS DEPENDS ON TURKISH MILITARY, WHO WILL PROBABLY REMAIN DIFFICULT UNTIL THEIR ORDERS ARE CHANGED BY ANKARA.

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## Message Attributes

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